

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE	
Case 18-CA-300169	Date Filed 7/26/2022

INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer Menards, Inc		b. Tel. No. (651) 457-2609
		c. Cell No.
		f. Fax. No.
d. Address (Street, city, state, and ZIP code) 1445 Roberts Street S MN Saint Paul 55118	e. Employer Representative	g. e-mail
		h. Number of workers employed 200
i. Type of Establishment (factory, mine, wholesaler, etc.) Construction	j. Identify principal product or service Home improvement goods	

The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) 1 of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

--See additional page--

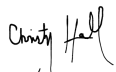
(b) (6), (b) (7)(C) of party filing charge (if labor organization, give full name, including local name and number)

4a. Address (Street and number, city, state, and ZIP code) (b) (6), (b) (7)(C)	4b. Tel. No. (b) (6), (b) (7)(C)
	4c. Cell No.
	4d. Fax No.
	4e. e-mail (b) (6), (b) (7)(C)

5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)

6. DECLARATION

I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.



Christy Hall

(signature of representative or person making charge)

(Print/type name and title or office, if any)

200 University Ave W Suite 200

Address Saint Paul MN 55103

Date 07/26/2022 04:00:56 PM

Tel. No.
(651) 789-2090

Office, if any, Cell No.

Fax No.

e-mail
christy.hall@genderjustice.us**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.

Basis of the Charge

8(a)(1)

Within the previous six months, the Employer disciplined or retaliated against an employee(s) because the employee(s) engaged in protected concerted activities by, inter alia, protesting terms and conditions of employment and in order to discourage employees from engaging in protected concerted activities.

8(a)(1)

Within the previous six-months, the Employer has interfered with, restrained, and coerced its employees in the exercise of rights protected by Section 7 of the Act by maintaining work rules that prevent or discourage employees from engaging in protected concerted activities.

Work Rule
8(a)(1) violation

Additional Information in Support of Charge

Charging Party Name : (b) (6), (b) (7)(C)

Inquiry Number : (b) (6), (b) (7)(C)

Date Submitted : 07/26/2022 04:00:56 PM

Please provide a brief description of the specific conduct involved in your charge. The information you provide may be viewed by the charged party in the event of a formal proceeding, so PLEASE DO NOT GIVE A DETAILED ACCOUNT OF YOUR CHARGE OR A LIST OF POTENTIAL WITNESSES AT THIS TIME. A Board Agent will contact you to obtain this and other detailed information after your charge is docketed. After you submit this E-Filed Charge form, you will receive a confirmation email with an Inquiry Number (Sample Inquiry Number: 1-1234567890) and a link to the E-Filing web page. You may use the link and the Inquiry number provided in the email to e-file any additional documents you wish to present in support of your charge.

Additional Information Provided:

Menards discriminatorily applied its dress code to employee (b) (6), (b) (7)(C) when they reprimanded (b) (6), (b) (7)(C) for wearing a small pin on (b) (6) vest that stated (b) (6), (b) (7)(C). There was no clear policy that disallowed the use of small pins and many times during (b) (6) employment, (b) (6), (b) (7)(C) witnessed other employees wear badges, pins, or stickers, and were not asked to remove them. After being reprimanded repeatedly for wearing the pin, (b) (6) eventually put in (b) (6) two-week notice. Before the two weeks were up, (b) (6) manager sent (b) (6), (b) (7)(C) home because of (b) (6) use of the (b) (6), (b) (7)(C) pin, and told (b) (6), (b) (7)(C) would not be finishing out (b) (6), (b) (7)(C) remaining two weeks at Menards.

Case Name: Menards, Inc
Case No.: 18-CA-300169
Agent: Attorney DAVID J. STOLZBERG

CASEHANDLING LOG

[illegible]

☐ Check this Box if Amended Charge changes a party name! Date Filed: 7/26/22

NxGen Allegations Sheet – CA Cases

Inquiry # 1-3182178731 -

Case Name: MENARDS, INC.

Case Number: 18-CA-300169

Agent: David

Supervisor: Ahsok

Impact Analysis Category 2

I.O. Charge? Yes No ✓

Potential 10(j)? Yes No ✓

Blocking R case? Yes No ✓

Case Blocked

Amended A = Add allegations R = Amend out X = Existing - Unchanged

Bargaining Status: None ✓ Existing Contract Organizational Campaign

Seeking Initial Contract Seeking Successor Contract

Use backpay paragraph? Yes No ✓ Assistance in Spanish required? Yes No ✓

Hot Topic? Yes ☐ No ☒ Check if Hot Topic

8(a)(1) POSTAL CASE - REMOVE EMAIL

	Coercive Actions (Surveillance, etc.)
X	Coercive Rules
	Coercive Statements (Threats, Promises of Benefits, etc.)
X	Concerted Activities (Retaliation, Discharge, Discipline)
	Denial of Access
	Discharge of Supervisor (Parker-Robb Chevrolet)
	Interrogation (Including Polling)
	Lawsuits
	Weingarten

8(a)(2)

	Assistance
	Domination
	Unlawful Recognition

8(a)(3) Number of Discriminatees

	Changes in Terms and Conditions of Employment
	Discharge (Including Layoff and Refusal to Hire (not salting))
	Discipline
	Lockout
	Refusal to Consider/Hire Applicant (salting only)
	Refusal to Hire Majority
	Refusal to Reinstate E'ee/Striker (e.g. Laidlaw)
	Retaliatory Lawsuit
	Shutdown or Relocate/Subcontract Unit Work
	Union Security Related Actions

8(a)(4)

	Changes in Terms and Conditions of Employment
	Discharge (Including Layoff and Refusal to Hire
	Discipline
	Refusal to Reinstate Employee/Striker
	Shutdown or Relocate/Subcontract Unit Work

8(a)(5)

	Alter Ego
	Failure to Sign Agreement
	Refusal to Bargain/Bad Faith Bargaining (including surface bargaining/direct dealing)
	Refusal to Furnish Information
	Refusal to Recognize
	Repudiation/Modification of Contract (Sec 8(d)/Unilateral Changes)
	Shutdown or Relocate (e.g. First National Maint.) Subcontract Work

Notes:



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 18
Federal Office Building
212 Third Avenue South, Suite 200
Minneapolis, MN 55401-2657

Agency Website: www.nlrb.gov
Telephone: (612)348-1757
Fax: (612)348-1785



Download
NLRB
Mobile App

July 27, 2022

Menards, Inc
1445 Roberts Street S
Saint Paul, MN 55118

Re: Menards, Inc
Case 18-CA-300169

Dear Sir or Madam:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Attorney DAVID J. STOLZBERG whose telephone number is (763)270-7057. If this Board agent is not available, you may contact Supervisory Attorney ASHOK C. BOKDE whose telephone number is (952)703-2894.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, www.nlrb.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not

enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor requests to limit our use of position statements or evidence. Specifically, any material you submit may be introduced as evidence at a hearing before an administrative law judge regardless of claims of confidentiality. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Further, the Freedom of Information Act may require that we disclose position statements or evidence in closed cases upon request, unless an exemption applies, such as those protecting confidential financial information or personal privacy interests.

Preservation of all Potential Evidence: Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

Prohibition on Recording Affidavit Interviews: It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

Correspondence: All documents submitted to the Region regarding your case MUST be filed through the Agency's website, www.nlr.gov. This includes all formal pleadings, briefs, as well as affidavits, documentary evidence, and position statements. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format).

If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge. If you cannot e-file your documents, you must provide a statement explaining why you do not have access to the means for filing electronically or why filing electronically would impose an undue burden.

In addition, this Region will be issuing case-related correspondence and documents, including complaints, compliance specifications, dismissal letters, deferral letters, and withdrawal letters, electronically to the email address you provide. Please ensure that you receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlr.gov or from an NLRB office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink, appearing to read "Jennifer Hadsall", written in a cursive style.

JENNIFER A. HADSALL
Regional Director

Enclosures:

1. Copy of Charge
2. Commerce Questionnaire

QUESTIONNAIRE ON COMMERCE INFORMATION

Please read carefully, answer all applicable items, and return to the NLRB Office. If additional space is required, please add a page and identify item number.

CASE NAME	CASE NUMBER 18-CA-300169
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1. EXACT LEGAL TITLE OF ENTITY (As filed with State and/or stated in legal documents forming entity)

2. TYPE OF ENTITY

☐ CORPORATION ☐ LLC ☐ LLP ☐ PARTNERSHIP ☐ SOLE PROPRIETORSHIP ☐ OTHER (Specify)

3. IF A CORPORATION or LLC

A. STATE OF INCORPORATION OR FORMATION	B. NAME, ADDRESS, AND RELATIONSHIP (e.g. parent, subsidiary) OF ALL RELATED ENTITIES
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4. IF AN LLC OR ANY TYPE OF PARTNERSHIP, FULL NAME AND ADDRESS OF ALL MEMBERS OR PARTNERS

5. IF A SOLE PROPRIETORSHIP, FULL NAME AND ADDRESS OF PROPRIETOR

6. BRIEFLY DESCRIBE THE NATURE OF YOUR OPERATIONS (Products handled or manufactured, or nature of services performed).

7A. PRINCIPAL LOCATION:

7B. BRANCH LOCATIONS:

8. NUMBER OF PEOPLE PRESENTLY EMPLOYED

A. TOTAL:

B. AT THE ADDRESS INVOLVED IN THIS MATTER:

9. DURING THE MOST RECENT (Check the appropriate box): ☐ CALENDAR ☐ 12 MONTHS or ☐ FISCAL YEAR (FY DATES _____)

	YES	NO
A. Did you provide services valued in excess of \$50,000 directly to customers outside your State? If no, indicate actual value. \$ _____		
B. If you answered no to 9A, did you provide services valued in excess of \$50,000 to customers in your State who purchased goods valued in excess of \$50,000 from directly outside your State? If no, indicate the value of any such services you provided. \$ _____		
C. If you answered no to 9A and 9B, did you provide services valued in excess of \$50,000 to public utilities, transit systems, newspapers, health care institutions, broadcasting stations, commercial buildings, educational institutions, or retail concerns? If less than \$50,000, indicate amount. \$ _____		
D. Did you sell goods valued in excess of \$50,000 directly to customers located outside your State? If less than \$50,000, indicate amount. \$ _____		
E. If you answered no to 9D, did you sell goods valued in excess of \$50,000 directly to customers located inside your State who purchased other goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$ _____		
F. Did you purchase and receive goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$ _____		
G. Did you purchase and receive goods valued in excess of \$50,000 from enterprises who received the goods directly from points outside your State? If less than \$50,000, indicate amount. \$ _____		
H. Gross Revenues from all sales or performance of services (Check the largest amount) <input type="checkbox"/> \$100,000 <input type="checkbox"/> \$250,000 <input type="checkbox"/> \$500,000 <input type="checkbox"/> \$1,000,000 or more If less than \$100,000, indicate amount.		
I. Did you begin operations within the last 12 months? If yes, specify date: _____		

10. ARE YOU A MEMBER OF AN ASSOCIATION OR OTHER EMPLOYER GROUP THAT ENGAGES IN COLLECTIVE BARGAINING?

☐ YES ☐ NO (If yes, name and address of association or group).

11. REPRESENTATIVE BEST QUALIFIED TO GIVE FURTHER INFORMATION ABOUT YOUR OPERATIONS

NAME	TITLE	E-MAIL ADDRESS	TEL. NUMBER
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12. AUTHORIZED REPRESENTATIVE COMPLETING THIS QUESTIONNAIRE

NAME AND TITLE (Type or Print)	SIGNATURE	E-MAIL ADDRESS	DATE
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PRIVACY ACT STATEMENT

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UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

MENARDS, INC

Charged Party

and

(b) (6), (b) (7)(C)

Charging Party

Case 18-CA-300169

AFFIDAVIT OF SERVICE OF CHARGE AGAINST EMPLOYER

I, the undersigned employee of the National Labor Relations Board, state under oath that on July 27, 2022, I served the above-entitled document(s) by post-paid regular mail upon the following persons, addressed to them at the following addresses:

Menards, Inc
1445 Roberts Street S
Saint Paul, MN 55118

July 27, 2022

Date

Courtney Lutz, Designated Agent of NLRB

Name

/s/ Courtney Lutz

Signature



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 18
Federal Office Building
212 Third Avenue South, Suite 200
Minneapolis, MN 55401-2657

Agency Website: www.nlrb.gov
Telephone: (612)348-1757
Fax: (612)348-1785



Download
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July 27, 2022

(b) (6), (b) (7)(C)

Re: Menards, Inc
Case 18-CA-300169

Dear (b) (6), (b) (7)(C):

The charge that you filed in this case on July 26, 2022, has been docketed as case number 18-CA-300169. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Attorney DAVID J. STOLZBERG whose telephone number is (763)270-7057. If this Board agent is not available, you may contact Supervisory Attorney ASHOK C. BOKDE whose telephone number is (952)703-2894.

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Presentation of Your Evidence: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

Preservation of all Potential Evidence: Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody

or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

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We can provide assistance for persons with limited English proficiency or disability.
Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink, appearing to read "Jennifer Hadsall". The signature is fluid and cursive, with the first name "Jennifer" written in a larger, more prominent script than the last name "Hadsall".

JENNIFER A. HADSALL
Regional Director

cc: Christy Hall
Gender Justice
200 University Ave. W, Suite 200
Saint Paul, MN 55103

From: [Stolzberg, David J.](#)
To: [Karina Estrada](#)
Cc: [Christy Hall](#)
Subject: RE: NLR new charge
Date: Tuesday, August 9, 2022 2:26:00 PM
Attachments: [image001.jpg](#)

Karina – The easiest/quickest way to amend the charge would be to either edit the pdf on your end to 1) change the address; and 2) (if you wish to amend out the discipline allegation) merely erase the allegation. The charge should also have **AMENDED** in bold printed on just to the left of CHARGE AGAINST EMPLOYER on the charge header. Then either efile, fax, or mail/drop off the charge to file. I'm also told it's possible to file these amendments via e-filing, but I don't have experience doing so. Please note, whatever is in the charge is the allegation going fwd and anything amended out is essentially considered withdrawn.

Thank you,
David Stolzberg



David Stolzberg, Attorney
National Labor Relations Board
212 3rd Avenue South, Suite 200
Minneapolis, MN 55401
Phone: 763-270-7057
Cell: 202-568-4314
Fax: 612-348-1785

-
Junta Nacional de Relaciones del Trabajo: <https://www.nlr.gov/es>

-
Please note the NLRB now requires electronic filing of documents. See GC Memo 20-01 on the Agency's website. Below is information to assist you in this requirement:

Written instructions for using the Agency's E-Filing system and the Agency's Electronic Filing Terms and Conditions policy have been posted on the Agency's website.

See <http://apps.nlr.gov/myAccount/assets/E-Filing-System-User-Guide.pdf>.

The Agency's website also contains a video demonstration which provides step-by-step instructions.

See https://apps.nlr.gov/myAccount/assets/My%20Account%20Portal%20Overview/story_html5.html.

For Frequently Asked Questions, please

see <https://apps.nlr.gov/myAccount/#/FileCaseDocuments/FAQ>

If you're ready to e-file a new charge or petition, go to <https://apps.nlr.gov/chargeandpetition/#/>

To provide feedback on your E-Filing experience, see: <https://www.nlr.gov/how-we-work/fillable-forms/site-feedback>

From: Karina Estrada <karina.estrada@genderjustice.us>
Sent: Tuesday, August 9, 2022 12:37 PM
To: Christy Hall <christy.hall@genderjustice.us>; Stolzberg, David J. <David.Stolzberg@nlrb.gov>
Subject: Re: NLR new charge

CAUTION: The sender of this message is external to the NLRB network. Please use care when clicking on links and responding with sensitive information. Forward suspicious emails to nlrbirc@nlrb.gov.

Hi David,

I am sorry about that mistake. Is there a way to amend the charge or do I need to file an entirely new one?

Thank you for your help,
-Karina

From: Christy Hall <christy.hall@genderjustice.us>
Sent: Tuesday, August 2, 2022 6:51 PM
To: Stolzberg, David J. <David.Stolzberg@nlrb.gov>
Cc: Karina Estrada <karina.estrada@genderjustice.us>
Subject: RE: NLR new charge

Hi David,

Sorry I am just getting back to you now. I'm in trial this week and it has been a bit hectic. It was not our intention to change the location or to imply that there were additional retaliatory acts. I can try to help fix this once my trial is done, which hopefully will be by the end of the day tomorrow. I think Karina is out this week as well, but I'm cc'ing her in case she can help.

Thanks,
Christy

From: Stolzberg, David J. <David.Stolzberg@nlrb.gov>
Sent: Tuesday, August 2, 2022 3:23 PM
To: Christy Hall <christy.hall@genderjustice.us>
Subject: RE: NLR new charge

Christy – Please respond to my email from last week – copied below. Also, is there some reason why you filed the charge with a different Menard location than the one your clients used to work for? If not, it may make sense to amend it to the University Ave location. Please contact to discuss.

Thank you,
David Stolzberg



David Stolzberg, Attorney
National Labor Relations Board
212 3rd Avenue South, Suite 200
Minneapolis, MN 55401
Phone: 763-270-7057
Cell: 202-568-4314
Fax: 612-348-1785

Junta Nacional de Relaciones del Trabajo: <https://www.nlrb.gov/es>

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For Frequently Asked Questions, please

see <https://apps.nlr.gov/myAccount/#/FileCaseDocuments/FAQ>

If you're ready to e-file a new charge or petition, go to <https://apps.nlr.gov/chargeandpetition/#/>

To provide feedback on your E-Filing experience, see: <https://www.nlr.gov/how-we-work/fillable-forms/site-feedback>

From: Stolzberg, David J.

Sent: Thursday, July 28, 2022 11:43 AM

To: Christy Hall <christy.hall@genderjustice.us>

Subject: NLR new charge

Christy – Is there additional discipline/retaliation you have for which you alleged the first allegation in the new charge (attached)? If so, please call to discuss the presentation of evidence.

Thank you,
David Stolzberg

Logo NLRB



David Stolzberg, Attorney
National Labor Relations Board
212 3rd Avenue South, Suite 200
Minneapolis, MN 55401
Phone: 763-270-7057
Cell: 202-568-4314
Fax: 612-348-1785

Junta Nacional de Relaciones del Trabajo: <https://www.nlr.gov/es>

Please note the NLRB now requires electronic filing of documents. See [GC Memo 20-01 on the Agency's website](#). Below is information to assist you in this requirement:

Written instructions for using the Agency's E-Filing system and the Agency's Electronic Filing Terms and Conditions policy have been posted on the Agency's website.

See <http://apps.nlr.gov/myAccount/assets/E-Filing-System-User-Guide.pdf>.

The Agency's website also contains a video demonstration which provides step-by-step instructions.

See https://apps.nlr.gov/myAccount/assets/My%20Account%20Portal%20Overview/story_html5.html.

For Frequently Asked Questions, please

see <https://apps.nlr.gov/myAccount/#/FileCaseDocuments/FAQ>

If you're ready to e-file a new charge or petition, go to <https://apps.nlr.gov/chargeandpetition/#/>

To provide feedback on your E-Filing experience, see: <https://www.nlr.gov/how-we-work/fillable-forms/site-feedback>

FORM NLRB-501
(3-21)UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER**AMENDED****DO NOT WRITE IN THIS SPACE**

Case

18-CA-300169

Date Filed

August 11, 2022

INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer Menards, Inc		b. Tel. No. 715-876-5911
		c. Cell No.
		f. Fax. No.
d. Address (Street, city, state, and ZIP code) Corporate HQ: 5101 Menard Dr, Eau Claire, WI 54703 Job Site: 2005 University Ave W, St Paul, MN 55104	e. Employer Representative	g. e-mail
		h. Number of workers employed 45,000
i. Type of Establishment (factory, mine, wholesaler, etc.) Construction	j. Identify principal product or service Home improvement goods	

The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) 1 of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

--See additional page--

3. Full name of party filing charge (if labor organization, give full name, including local name and number)

(b) (6), (b) (7)(C)

4a. Address (Street and number, city, state, and ZIP code)

(b) (6), (b) (7)(C)

4b. Tel. No.

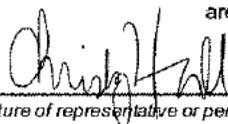
(b) (6), (b) (7)(C)

4c. Cell No.**4d. Fax No.****4e. e-mail**

(b) (6), (b) (7)(C)

5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)**6. DECLARATION**

I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.



Christy Hall

(signature of representative or person making charge)

(Print/type name and title or office, if any)

200 University Ave W Suite 200

Address Saint Paul MN 55103

Date August 10, 2022

Tel. No.

(651) 789-2090

Office, if any, Cell No.**Fax No.****e-mail**

christy.hall@genderjustice.us

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001) PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.

Basis of the Charge

8(a)(1)

Within the previous six-months, the Employer has interfered with, restrained, and coerced its employees in the exercise of rights protected by Section 7 of the Act by maintaining work rules that prevent or discourage employees from engaging in protected concerted activities

Work Rule**8(a)(1) violation Uniform/Dress Code**

☒ Check this Box if Amended Charge changes a party name! Date Filed: 8/11/22

FIRST AMENDED

NxGen Allegations Sheet – CA Cases

Inquiry # _____

Case Name: MENARDS, INC.

Case Number: 18-CA-300169

Agent: David

Supervisor: Ahsok

Impact Analysis Category ² _____

Amended A = Add allegations R = Amend out X = Existing - Unchanged

Bargaining Status: None ☒ Existing Contract ☐ Organizational Campaign ☐

Seeking Initial Contract ☐ Seeking Successor Contract ☐

Use backpay paragraph? Yes ☐ No ☒

Assistance in Spanish required? Yes ☐ No ☒

Hot Topic? Yes ☐ No ☒ Check if _____

Hot Topic _____

8(a)(1)

POSTAL CASE - REMOVE EMAIL

	Coercive Actions (Surveillance, etc.)
X	Coercive Rules
	Coercive Statements (Threats, Promises of Benefits, etc.)
R	Concerted Activities (Retaliation, Discharge, Discipline)
	Denial of Access
	Discharge of Supervisor (<i>Parker-Robb Chevrolet</i>)
	Interrogation (Including Polling)
	Lawsuits
	Weingarten

8(a)(2)

	Assistance
	Domination
	Unlawful Recognition

8(a)(3) Number of Discriminatees _____

	Changes in Terms and Conditions of Employment
	Discharge (Including Layoff and Refusal to Hire (not salting))
	Discipline
	Lockout
	Refusal to Consider/Hire Applicant (salting only)
	Refusal to Hire Majority
	Refusal to Reinstate E'ee/Striker (e.g. <i>Laidlaw</i>)
	Retaliatory Lawsuit
	Shutdown or Relocate/Subcontract Unit Work
	Union Security Related Actions

8(a)(4)

	Changes in Terms and Conditions of Employment
	Discharge (Including Layoff and Refusal to Hire
	Discipline
	Refusal to Reinstate Employee/Striker
	Shutdown or Relocate/Subcontract Unit Work

8(a)(5)

	Alter Ego
	Failure to Sign Agreement
	Refusal to Bargain/Bad Faith Bargaining (including surface bargaining/direct dealing)
	Refusal to Furnish Information
	Refusal to Recognize
	Repudiation/Modification of Contract (Sec 8(d)/Unilateral Changes)
	Shutdown or Relocate (e.g. <i>First National Maint.</i>) Subcontract Work

Notes:



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 18
Federal Office Building
212 Third Avenue South, Suite 200
Minneapolis, MN 55401-2657

Agency Website: www.nlr.gov
Telephone: (612)348-1757
Fax: (612)348-1785



Download
NLRB
Mobile App

August 12, 2022

Menards, Inc
5101 Menard Drive
Eau Claire, WI 54703

Re: Menards, Inc
Case 18-CA-300169

Dear Sir or Madam:

Enclosed is a copy of the first amended charge that has been filed in this case.

Investigator: This charge is being investigated by Attorney DAVID J. STOLZBERG whose telephone number is (763) 270-7057. If the agent is not available, you may contact Supervisory Attorney ASHOK C. BOKDE whose telephone number is (952) 703-2894.

Presentation of Your Evidence: As you know, we seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations in the first amended charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Preservation of all Potential Evidence: Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

Prohibition on Recording Affidavit Interviews: It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

Procedures: Pursuant to Section 102.5 of the Board's Rules and Regulations, parties must submit all documentary evidence, including statements of position, exhibits, sworn statements, and/or other evidence, by electronically submitting (E-Filing) them through the Agency's web site (www.nlr.gov). You must e-file all documents electronically or provide a written statement explaining why electronic submission is not possible or feasible. Failure to

comply with Section 102.5 will result in rejection of your submission. The Region will make its determination on the merits solely based on the evidence properly submitted. All evidence submitted electronically should be in the form in which it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Very truly yours,

A handwritten signature in black ink, appearing to read "Jennifer Hadsall", written in a cursive style.

JENNIFER A. HADSALL
Regional Director

Enclosure: Copy of first amended charge

cc: Menards, Inc
2005 University Ave W
St. Paul, MN 55104

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

MENARDS, INC

Charged Party

and

(b) (6), (b) (7)(C)

Charging Party

Case 18-CA-300169

AFFIDAVIT OF SERVICE OF FIRST AMENDED CHARGE AGAINST EMPLOYER

I, the undersigned employee of the National Labor Relations Board, being duly sworn, say that on August 12, 2022, I served the above-entitled document(s) by regular mail upon the following persons, addressed to them at the following addresses:

Menards, Inc
5101 Menard Drive
Eau Claire, WI 54703

Menards, Inc
2005 University Ave W
St. Paul, MN 55104

August 12, 2022

Date

Carol Collins, Designated Agent of NLRB

Name

/s/ Carol Collins

Signature



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 18
Federal Office Building
212 Third Avenue South, Suite 200
Minneapolis, MN 55401-2657

Agency Website: www.nlr.gov
Telephone: (612)348-1757
Fax: (612)348-1785



Download
NLRB
Mobile App

August 12, 2022

(b) (6), (b) (7)(C)

Re: Menards, Inc
Case 18-CA-300169

Dear (b) (6), (b) (7)(C):

We have docketed the first amended charge that you filed in this case.

Investigator: This charge is being investigated by Attorney DAVID J. STOLZBERG whose telephone number is (763) 270-7057. If the agent is not available, you may contact Supervisory Attorney ASHOK C. BOKDE whose telephone number is (952) 703-2894.

Presentation of Your Evidence: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. If you have additional evidence regarding the allegations in the first amended charge and you have not yet scheduled a date and time for the Board agent to obtain that evidence, please contact the Board agent to arrange to present that evidence. If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed.

Preservation of all Potential Evidence: Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

Prohibition on Recording Affidavit Interviews: It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

Procedures: Pursuant to Section 102.5 of the Board's Rules and Regulations, parties must submit all documentary evidence, including statements of position, exhibits, sworn statements, and/or other evidence, by electronically submitting (E-Filing) them through the Agency's web site (www.nlr.gov). You must e-file all documents electronically or provide a

written statement explaining why electronic submission is not possible or feasible. Failure to comply with Section 102.5 will result in rejection of your submission. The Region will make its determination on the merits solely based on the evidence properly submitted. All evidence submitted electronically should be in the form in which it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Very truly yours,

A handwritten signature in black ink, appearing to read "Jennifer Hadsall", written in a cursive style.

JENNIFER A. HADSALL
Regional Director

Enclosure: Copy of Charge

cc: Christy Hall
Gender Justice
200 University Ave W, Suite 200
Saint Paul, MN 55103

From: [Christy Hall](#)
To: David.Stolzberg@nlrb.gov
Subject: Withdrawal of charge 18-CA-300169
Date: Tuesday, October 11, 2022 4:55:00 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

David,

This email confirms charging party's request to withdraw charge 18-CA-300169. The request is based on a satisfactory settlement reached in a related case.

Thanks,
Christy



Christy Hall

Senior Staff Attorney

Pronouns: she/her

(651) 789-2090 x405

christy.hall@genderjustice.us

www.GenderJustice.us





UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 18
Federal Office Building
212 Third Avenue South, Suite 200
Minneapolis, MN 55401-2657

Agency Website: www.nlr.gov
Telephone: (612)348-1757
Fax: (612)348-1785

October 12, 2022

Menards, Inc
5101 Menard Drive
Eau Claire, WI 54703

Re: Menard, Inc
Case 18-CA-300169

Dear Sir or Madam:

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

/s/ Jennifer A. Hadsall

JENNIFER A. HADSALL
Regional Director

cc: Menards, Inc
2005 University Ave. W
St. Paul, MN 55104

(b) (6), (b) (7)(C)

Christy Hall
Gender Justice
200 University Ave. W, Suite 200
Saint Paul, MN 55103